

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
WEDNESDAY, JANUARY 4, 2017  
LEGISLATIVE CHAMBER, ROOM 314  
TOWN HALL, WEST HARTFORD, CT 06107**

**MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: Michele Maresca; Alternates: Liz Gillette, Gordon Binkhorst; Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Commissioners: John O'Donnell, James Akin; Alternate: Mishone Donelson

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Monday, December 5, 2016  
*Motion/Prestage; Second/Gillette; Vote 4-0; Voting: Ahern, Prestage, Binkhorst and Gillette*

**COMMUNICATIONS:**

2.

**NEW BUSINESS:**

3. **24 Staples Place and 351 Whitman Avenue-** Application (IWW #1052) of the Town of West Hartford (Duane Martin, Town Engineer) (Daniel and Eileen Neubert, & the Town of West Hartford, R.O.'s) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse. The Town proposes to install storm drainage improvements that would eliminate roadway flooding in Wells Road, minimize slope erosion at the end of Staples Place and improve the quality of the

storm water entering the wetland regulated area. (Submitted for IWWA receipt on January 4, 2017. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **majority vote (4-1)** (Maresca voted no) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on February 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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4. **Trout Brook Drive – Multi-Use Trail (Phase 7)** Application (IWW #1053) of the Town of West Hartford (Duane Martin, Town Engineer) requesting approval on an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The project calls for the construction of an asphalt multi-use trail, approximately 660 feet in length and between 8 ft. and 10 ft. in width. The trail will be adjacent to Trout Brook and located in the town Right-of-Way on the west side of Trout Brook Drive between Duffield Drive and Asylum Avenue. (Submitted for IWWA receipt on January 4, 2017. Presented for determination of significance)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/ Prestage; Second/Binkhorst) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to find the proposed regulated activity to be **NON-SIGNIFICANT**. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements.

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5. **132 Montclair Drive-** Application (IWW #1054) of Bronwyn and Freddy Rolan, Jr., R.O.'s (Linda Howley, Architect) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on January 4, 2017. Suggest required public hearing be scheduled for February 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Maresca) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to schedule this matter for public hearing on **February 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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6. **132 Montclair Drive**- Application (IWW #1055) of Bronwyn and Freddy Rolan, Jr., R.O.'s (Linda Howley, Architect) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse. The applicant is proposing to demolish the existing garage and construct a new garage, an addition to the rear of the house, two decks, and an in-ground pool. The proposed activities will be approximately 100 ft. from the regulated area. (Submitted for IWWA receipt on January 4, 2017. Presented for determination of significance).

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by unanimous vote (0-5) (Motion/Prestage; Second/Gillette) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) and the motion for the proposed activity to be considered non-significant FAILED. The proposed activity is therefore deemed potentially significant and is set for public hearing on **February 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

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7. **76 Lasalle Road**- Application (SUP #1298) of Lasalle Road Partners, LLC, record owner (Mission Escape Games Connecticut, Inc., David Chen) requesting Special Use Permit approval to open an indoor amusement facility that fosters communication, leadership, and problem solving skills in a group setting. (Submitted for TPZ receipt on January 4, 2017. Suggest required public hearing be scheduled for February 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (4-0)** (Maresca recused herself) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to schedule this matter for public hearing on February 6, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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### **OLD BUSINESS:**

8. **107 Hillcrest Avenue**- Application (IWW #1049) by AECOM on behalf of The Metropolitan District (MDC) (Central Connecticut Associates, LLC, record owner) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford for property located at 107 Hillcrest. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on December 5, 2016. Required public hearing scheduled for January 4, 2017.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** Motion/Binkhorst; Second/Prestage (Gillette seated for O'Donnell) (Binkhorst

seated for Akin) to **APPROVE** the subject application. During its discussion and deliberation on this matter, the Agency made the following findings:

1. **The proposed amendment has been prepared by a certified soil scientist and is based on an on-site soil survey following approved wetland identification techniques.**
2. **A mylar of the approved wetland map amendment shall be provided to the Town Planning Office for filing in the wetland map files. The approved amendment shall also be submitted in electronic format for inclusion into the Town's Geographic Information System.**

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9. **107 Hillcrest Avenue-** Application (IWW #1050) by AECOM on behalf of The Metropolitan District (MDC) (Central Connecticut Associates, LLC, record owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse (Piper Brook). The applicant proposes construction of the Newington Trunk Sewer High Outlet Relief (NTS HOR) Structure. No direct impacts to wetland or watercourse resources will occur as a result of the proposed modification plan. (Submitted for IWWA receipt on December 5, 2016. Determined to be potentially significant and scheduled for public hearing on January 4, 2017.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Prestage). (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

**107 HILLCREST AVENUE**  
**INLAND WETLAND APPLICATION IWW #1050**  
**COMPLIANCE WITH SECTION 10.2 and 10.4**  
**STANDARDS AND CRITERIA FOR DECISION**

The request to conduct certain regulated activities at **107 Hillcrest Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1050** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **107 Hillcrest Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) The Applicant shall provide inspection and maintenance reports of the NTS HOR to the Town Planner annually.

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10. **119 South Street**- Application (SUP #1296) of Elm-Cap Industries, Inc. (119 South Street, LLC Record Owner) requesting Special Use Permit approval for the installation of two separate crematory units for the cremation of human remains; one (1) Matthews PowerPak I, and one (1) Matthews PowerPak II. (Submitted for TPZ receipt on December 5, 2016. Required public hearing scheduled for January 4, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Gillette; Second/Binkhorst) (Gillette seated for O'Donnell) (Binkhorst seated for Akin) to **APPROVE** this application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by February 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

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#### **TOWN COUNCIL REFERRALS:**

11. **1445 New Britain Avenue**- Application on behalf of Seritage SRC Finance LLC ("Applicant"), owner of 1445 New Britain Avenue, West Hartford, Connecticut (the "Property"). The Applicant requests modifications to the existing Special

Development District (“SDD”) #6, located at 1445 New Britain Avenue. The requested modifications include the redevelopment of both the Sears retail store and the Sears auto center into multiple retail and restaurant tenants. The redeveloped retail building will contain approximately 151,750 square feet and the redeveloped auto center will contain approximately 34,250 square feet (which includes 13,300 SF of unusable basement space). The facades of both buildings will be updated and refurbished. Associated site improvements including modifications to site parking, signage and landscaping are also requested. (Town Council Receipt on December 13, 2016. Town Council public hearing scheduled for January 24, 2017. TPZ receipt January 4, 2017.)

After a detailed review of the application, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Gillette) (Gillette seated for Akin) (Binkhorst seated for O'Donnell) to **RECOMMEND APPROVAL** of the subject application.

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#### **TOWN PLANNER'S REPORT:**

#### **INFORMATION ITEMS:**

#### **REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:**

- TPZ Regular Meeting, Monday, February 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, March 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, April 4, 2017 @ 7:00 P.M.

*“Any individual with a disability who needs special assistance to participate in the meeting should contact Social Services Department, 860.561.7561, five days prior to the meeting.”*

U: shareddocs/TPZ/Minutes//2017/January 4 Final Minutes